

# HOUSE COMMITTEE ON JUDICIARY

## A g e n d a

Meeting No. 12

<b>DATE:</b>	<b>Wednesday, February 15, 2006</b>
<b>TIME:</b>	<b>12:00 PM</b>
<b>PLACE:</b>	<b>Room 129 Annex</b>

1. Call to order and roll call.
2. **HB 44, AN ACT relating to the investigation of traffic accidents. A. Arnold, J. Crenshaw, R. Crimm, C. Embry Jr**

*Amend KRS 189A.103, relating to consent to tests for alcohol or substances in the blood, to require that law enforcement officers request to perform blood and urine tests on all drivers involved in any accident that involves a school bus or involves a fatality; treat refusal to submit to test in this circumstance as refusal to comply with the chapter; amend KRS 189.580, 189.635, and 281A.220 to conform.*

3. **HB 115, AN ACT relating to crimes and punishments. S. Lee**

*Create a new section of KRS Chapter 431 to authorize certified peace officers to enforce U. S. immigration laws and prohibit police agencies from prohibiting their officers from doing so.*

4. **HB 130, AN ACT relating to alcoholic beverages. S. Westrom, R. Damron, J. Richards**

*Create a new section of KRS Chapter 243 to prohibit the sale, use, purchase, possession, delivery, and donation of alcohol vaporizing devices; exempt hospitals, colleges, and universities, and pharmaceutical or biotechnology companies conducting research from such a ban; establish penalties for violators.*

5. **HB 144, AN ACT relating to crime prevention. M. Cherry**

*Create new sections of KRS Chapter 17 to ratify the National Crime Prevention and Privacy Compact; amend KRS 17.140 to conform.*

6. **HB 199, AN ACT relating to public safety. D. Keene, R. Wilkey, J. Draud, D. Graham, J. Higdon, D. Horlander, P. Marcotte, T. McKee, C. Miller, D. Owens, D. Pasley, A. Simpson, K. Stein, B. Yonts**

*Amend KRS 17.500, relating to sex offender registration, to include violent offenders as registrants and define "violent offender"; amend KRS 17.510 and 17.520 to require lifetime registration of violent offenders in Kentucky; amend KRS 17.540 and KRS 439.3401 to conform.*

7. **HB 236, AN ACT relating to general principles of justification. J. Gray, R. Damron**

*Create a new section of KRS Chapter 503 relating to justification for use of force, to provide presumptions and principles relating to the use of force; amend KRS 503.010 relating to definitions to redefine dwelling, and to add definitions of residence and vehicle; amend KRS 503.050 relating to use of force for self protection to extend protection for any felony offense involving the use of force and add provision specifying that a person does not have a duty to retreat; amend KRS 503.070, relating to protection of another, to extend protection for a felony offense involving the use of force and add provision specifying that a person does not have a duty to retreat; amend KRS 503.080 relating to protection of property to include robbery and any felony offense involving the use of force and add provision specifying that a person does not have a duty to retreat; create a new section of KRS Chapter 503 to provide immunity from prosecution in certain use of force cases and provide that law enforcement can investigate claims of lawful use of force but cannot make an arrest unless there is probable cause to believe that the use of force was unlawful.*

8. **HB 272, AN ACT relating to highways. S. Riggs, D. Keene, D. Osborne**

*Amend KRS 189.580, regarding the duties of individuals involved in traffic accidents, to require the driver to move the vehicle off the roadway of an interstate highway or parkway if the accident does not involve death or known or visible injury; permit an owner or operator of a vehicle to allow a properly licensed driver to move a vehicle off the roadway on his or her behalf in the event of an accident; allow officers to remove cargo or property obstructing the roadway without the consent of the owner; provide exceptions to delay any removal of hazardous material or vehicle involved in injury-related accidents until after fire, medical, and police personnel have finished their duties at the accident scene; permit agency removing property from roadway to intervene in civil action to recover costs; amend KRS 189.990 and 189.993 to require no penalty be assessed for a person who fails to remove a vehicle from the roadway or fails to report an accident as a result of being incapable.*

9. **HB 395, AN ACT relating to the Court of Justice. L. Clark, J. Hoover, D. Keene**

*Create a new section of KRS Chapter 30A to allow circuit court clerks to accept credit and debit cards and to allow the clerk to charge a \$25 bad check fee.*

- 10. HB 406, AN ACT relating to advertisements for adult oriented businesses aired on local cable television channels. J. Vincent, L. Napier**

*Create a new section of KRS Chapter 231 to prohibit ads for adult oriented businesses on local cable television channels between 6. a.m. and 10 p.m.*

- 11. HB 424, AN ACT relating to the protection of Social Security number disclosures in domestic relations cases. T. Kerr, A. Simpson**

*Create a new section of KRS Chapter 403 to provide in domestic relations cases in which the disclosure of a Social Security number is required, that the disclosure be made not in the text of a document in the public record of the case, but in a separate form to be stored in a separate, secure area; amend KRS 403.150, 403.160, 403.211, 407.5311, and 407.5602 to conform.*

### **DISCUSSION ONLY**

- 12. HB 436, AN ACT relating to the Kentucky Unified Juvenile Code. R. Damron, S. Lee, K. Bratcher, S. Brinkman, J. Comer Jr, T. Couch, R. Crimm, J. DeCesare, W. Dedman Jr, J. Draud, J. Fischer, M. Harmon, B. Montell, S. Rudy, T. Turner**

*Amend KRS 610.015, relating to juvenile proceedings, to remove a provision regarding confidentiality of juvenile records for a juvenile tried as an adult; amend KRS 610.070, relating to juvenile hearings, to permit the public to view hearings for a juvenile tried as an adult for a sex crime, felony involving force or threat of force, burglary in the first or second degree, or a any offense involving a deadly weapon or dangerous instrument; provide for closing proceedings to protect child witnesses or child victims; amend KRS 610.120, relating to commitment orders and child placement, to provide for 10 working days notice to the Department of Juvenile Justice in the event of motions involving the case; amend KRS 610.320 to separate the ordinary juvenile docket records from juvenile felony records for children over the age of 12; permit law enforcement records regarding a child under 18 to be open if the charges are on the juvenile felony docket; state that other juvenile records are to be closed; amend KRS 610.340, relating to sharing juvenile records with agencies, to provide that records on the juvenile felony docket are open records unless ordered closed by the court for good cause; amend KRS 610.345, relating to sharing of juvenile records with schools, to require sharing of juvenile felony docket records with schools, immediately after petition if filed; permit the court to direct the prosecutor to share additional information with the schools; delete most restrictions on schools keeping juvenile felony records confidential.*

### **Adjournment**